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10/603,448	06/24/2003	Dave Anderson	030094 (40147/09301)	4385

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NEWAY, SAMUEL G	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/603,448	ANDERSON ET AL.	
	Examiner	Art Unit	
	SAMUEL G. NEWAY	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 January 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 15-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 15-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application.
6) ☐ Other: _____.

DETAILED ACTION

1. This is responsive to the amendment after non-final filed on 14 January 2010.

2. Claims 1-12 and 15-45 remain pending and are considered below.

Response to Amendment

3. The objections to claims 1-12 and 15-45 are withdrawn in view of Applicant's amendments.

Response to Arguments

4. Applicant's arguments filed 14 January 2010 have been fully considered but they are not persuasive.

In response to Applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., user preferences stored only at a premises of a customer and not also on another computer) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Specifically Applicant argues that "claim 1, as presently amended, recites "the profile database comprising a profile database storage maintained only at a premises of the customer." Lin discloses no embodiments in which user preferences are stored only at the local computers 3, and not also at the repository

computer 1". However, the claim limitation only requires that there is a profile database comprising storage maintained only at a premises of the customer and is silent as to user preferences not being stored on another computer.

Lin discloses accessing a profile for a customer from a profile database (local database of Fig. 1, item 4 and related text) to determine preferences for the customer ("retrieve user preference information for the current user from local user preference file 4", col. 5, lines 1-6), the profile database comprising a profile database storage maintained only at a premises of the customer (Note that the storage storing the local preference database on a local computer is only maintained on the local computer).

In addition, even if the claims recited what Applicant is asserting, the following prior art references are provided to show the well known method of storing user preferences only on a user's local computer:

a. Dutcher et al (USPN 6,044,465) discloses a user profile storage and retrieval method where "user profile is typically stored on either a local Windows NT client or a Windows NT server" (col. 2, lines 14-18).

b. Holtzman et al (US PGPub 2001/0027439) discloses a method where "user profile can be stored in the computer 100, or on information servers 120 accessible over a computer network such as the Internet" ([0048]).

c. Horvitz (USPN 6,067,565) discloses a method where "information regarding background of a user (e.g. age and interests of

that user as obtained from a profile stored locally in a client computer or accessed from a remote source, such as the server)" (col. 38, lines 18-30).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-12 and 15-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mozayeny (USPGPub 2002/0035493) in view of Roundtree (USPGPub 2001/0047264) and in further view of Lin (USPN 6,178,443).

Claim 1:

Mozayeny discloses a method of assisting scheduling with automation, comprising:

receiving a verbal scheduling request from a customer at a voice services node ("100 may request to schedule a appointment, or make a reservation", [0060], FIG. 3, and related text. Note that the scheduling request may be communicated via the IVR (Interactive Voice Response) system. [0063]);

formulating a request data to a schedule database, the request data being formulated based keywords of the verbal scheduling request received from the

customer ("query whether the requested appointment or reservation time is acceptable based on the record ", [0060], FIG. 3, and related text).

However, Mozayeny does not explicitly disclose accessing a customer's preferences from a profile database as claimed in the instant claim.

In a similar method of automated reservation using interactive voice recognition, Roundtree discloses formulating a query comprising:

accessing a profile for the customer from a profile database to determine preferences for the customer (FIG. 1, item 38 and related text), the preferences being previously obtained (FIG. 1, item 38 and related text) through at least one of the following: previous verbal communication with the customer, data message transaction with the customer, and tracking previous scheduling requests made by the customer ("The user preferences can be continually updated and refined over time as the system server gathers more information concerning the user", [0023]), and

including the preferences in the request data, when information contained in the preferences in omitted in the request data, to determine whether the request is compatible with the current schedule, wherein including the preferences comprises, when information is omitted in the request data, accessing the profile for the customer from the profile database, searching for the preferences containing the information omitted in the request data, and updating the request data to include the preferences containing the information omitted in the request data ("the system server retrieves a protocol that identifies one or more restaurants to contact based upon ... the user's preferences as stored in personal data 38", [0048] see also [0022], FIG. 1, item 38 and

related text) wherein updating the request data to include the preferences containing the information omitted in the request data does not require further customer interaction ("system server executes the querying process according to the protocol to make a reservation with one of the restaurants", [0045]);

It would have been obvious to one with ordinary skill in the art at the time of the invention to formulate a query using a customer's profile database in Mozayeny's method in order to "use the preferences to make "smart choices" in processing user's requests" (Roundtree [0023], see also [0045] for a specific example).

Mozayeny further discloses comparing the request data to the current schedule of the schedule database to determine whether the request data is compatible with the current schedule of the schedule database, when the request data is compatible with the current schedule, altering the current schedule of the schedule database based on the request data ("automatically scheduling the appointment if the request is for an available time based on the availability information, and automatically updating the appointment availability information", Abstract, FIG. 3, and related text);

and generating a notification signal of the alteration to the current schedule ("if appointment or reservation time is acceptable ... notification may be sent", [0060], FIG. 3).

Mozayeny and Roundtree do not explicitly disclose the profile database comprising a profile database storage maintained at the customer's premises.

Lin discloses accessing a profile for a customer from a profile database (local database of Fig. 1, item 4 and related text) to determine preferences for the customer

("retrieve user preference information for the current user from local user preference file 4", col. 5, lines 1-6), the profile database comprising a profile database storage maintained only at a premises of the customer (Note that the storage storing the local preference database on a local computer is only maintained on the local computer).

It would have been obvious to one with ordinary skill in the art at the time of the invention to have stored and accessed a customer's profile stored on a profile database comprising a profile database storage maintained only at a premises of the customer locally a the customer premises in case a profile at server side cannot be accessed (see Lin col. 5, lines 1-6).

Claim 2:

Mozayeny, Roundtree, and Lin disclose the method of claim 1, Mozayeny further discloses interpreting the verbal schedule request to produce the request data ("Nuance software may be used for intelligent voice recognition", [0041]).

Claim 3:

Mozayeny, Roundtree, and Lin disclose the method of claim 1, Mozayeny further discloses wherein the voiced call is a voice-over-IP call ("communication path 202 used ... may be ... a public network including the Internet and the Web", [0037], FIG. 2).

Claim 4:

Mozayeny, Roundtree, and Lin disclose the method of claim 1, Mozayeny further discloses wherein the voiced call is received over a public switched telephone network ("communication path 202 used ... may be ... a telephone network", [0037], FIG. 2).

Claim 5:

Mozayeny, Roundtree, and Lin disclose the method of claim 1, Mozayeny further discloses wherein receiving the scheduling request comprises receiving a wireless data transmission from a wireless device in use by the customer ("communications may be accomplished using ... cellular phone", [0037]) and extracting the request data from the verbal scheduling request of the wireless data transmission ("Nuance software may be used for intelligent voice recognition", [0041]).

Claim 6:

Mozayeny, Roundtree, and Lin disclose the method of claim 1, Mozayeny further discloses wherein the notification comprises a confirmation provided to the customer ("the first party 100 will be notified", [0060]).

Claim 7:

Mozayeny, Roundtree, and Lin disclose the method of claim 6, Mozayeny further discloses wherein the confirmation is a verbal confirmation provided from a voice services node ("the first party 100 will be notified (via the Web, e-mail, or telephone or IVR)", [0060]).

Claim 8:

Mozayeny, Roundtree, and Lin disclose the method of claim 7, Mozayeny further discloses wherein the confirmation is an email provided to the customer over the Internet in addition to the verbal confirmation ("the first party 100 will be notified (via the Web, e-mail, or telephone or IVR)", [0060]).

Claim 9:

Mozayeny, Roundtree, and Lin disclose the method of claim 7, Mozayeny further discloses wherein the confirmation is a wireless data message provided to a wireless device of the customer in addition to the verbal confirmation ("communications may be accomplished using ... cellular phone", [0037]).

Claim 10:

Mozayeny, Roundtree, and Lin disclose the method of claim 1, Mozayeny further discloses wherein the notification comprises a confirmation provided to the schedule owner ("notification may be sent to the parties 100, 104", [0060], FIG. 3).

Claim 11:

Mozayeny, Roundtree, and Lin disclose the method of claim 10, Mozayeny further discloses wherein the confirmation is a web site displaying the current schedule ("the first party 100 will be notified (via the Web, e-mail, or telephone or IVR)", [0060]).

Claim 12:

Mozayeny, Roundtree, and Lin disclose the method of claim 10, Mozayeny further discloses wherein the confirmation is a wireless data message provided to a wireless device of the schedule owner ("communications may be accomplished using ... cellular phone", [0037]).

Claim 15:

Mozayeny, Roundtree, and Lin disclose the method of claim 1, Mozayeny further discloses wherein the notification signal comprises a confirmation provided to the customer by providing a verbal notice from a voice services node and by providing an

electronically delivered non-verbal message ("the first party 100 will be notified (via the Web, e-mail, or telephone or IVR)", [0060]).

Claim 16:

Mozayeny, Roundtree, and Lin disclose the method of claim 1, Mozayeny further discloses: receiving a scheduling update signal from a schedule owner at a node of the communications network, the scheduling update signal providing an indication of availability for the current schedule stored in the schedule database ("104 may submit new information or an update to existing information", [0048]); and formulating a command to the schedule database based on the received scheduling update signal to update the availability, wherein the update to the current schedule is considered when determining whether the request is compatible ("information ... may be downloaded to the database 108 so that the database 108 has current information", [0048]).

Claim 17:

Mozayeny, Roundtree, and Lin disclose the method of claim 16, Mozayeny further discloses wherein the indication of availability specifies capacity ("cancellations or delays of scheduled appointments or reservations may be automatically communicated", [0037]).

Claim 18:

Mozayeny, Roundtree, and Lin disclose the method of claim 16, Mozayeny further discloses wherein the indication of availability specifies an accepted schedule request decreasing remaining capacity (""information ... may be downloaded to the database 108 so that the database 108 has current information", [0048]).

Claim 19:

Mozayeny discloses a method of assisting scheduling with automation, comprising:

receiving a set of verbal responses for a schedule request from a customer at a voice services node ("100 may request to schedule a appointment, or make a reservation", [0060], FIG. 3, and related text. Note that the scheduling request may be communicated via the IVR (Interactive Voice Response) system. [0063]);

interpreting the set of verbal responses to produce request data, the request data being based on keywords of the set of verbal responses received from the customer; ("query whether the requested appointment or reservation time is acceptable based on the record", [0060], FIG. 3, and related text).

However, Mozayeny does not explicitly disclose accessing a customer's preferences from a profile database as claimed in the instant claim.

In a similar method of automated reservation using interactive voice recognition, Roundtree discloses formulating a query comprising:

accessing a profile for the customer from a profile database to determine preferences for the customer, the profile database comprising a profile database storage maintained at a customer premises (FIG. 1, item 38 and related text), the preferences being previously obtained (FIG. 1, item 38 and related text) through at least one of the following: previous verbal communication with the customer, data message transaction with the customer, and tracking previous scheduling requests made by the

customer ("The user preferences can be continually updated and refined over time as the system server gathers more information concerning the user", [0023]), and

including the preferences in the request data, when information contained in the preferences in omitted in the request data, to determine whether the request is compatible with the current schedule, wherein including the preferences comprises, when information is omitted in the request data, accessing the profile for the customer from the profile database, searching for the preferences containing the information omitted in the request data, and updating the request data to include the preferences containing the information omitted in the request data ("the system server retrieves a protocol that identifies one or more restaurants to contact based upon ... the user's preferences as stored in personal data 38", [0048] see also [0022], FIG. 1, item 38 and related text) wherein updating the request data to include the preferences containing the information omitted in the request data does not require further customer interaction ("system server executes the querying process according to the protocol to make a reservation with one of the restaurants", [0045]);

It would have been obvious to one with ordinary skill in the art at the time of the invention to formulate a query using a customer's profile database in Mozayeny's method in order to "use the preferences to make "smart choices" in processing user's requests" (Roundtree [0023], see also [0045] for a specific example).

Mozayeny further discloses comparing the request data to the current schedule of the schedule database to determine whether the request data is compatible with the current schedule of the schedule database, when the request data is compatible with

the current schedule, adapting the current schedule of the schedule database based on the request data ("automatically scheduling the appointment if the request is for an available time based on the availability information, and automatically updating the appointment availability information", Abstract, FIG. 3, and related text).

Mozayeny and Roundtree do not explicitly disclose the profile database comprising a profile database storage maintained at the customer's premises.

Lin discloses accessing a profile for a customer from a profile database (local database of Fig. 1, item 4 and related text) to determine preferences for the customer ("retrieve user preference information for the current user from local user preference file 4", col. 5, lines 1-6), the profile database comprising a profile database storage maintained only at a premises of the customer (Note that the storage storing the local preference database on a local computer is only maintained on the local computer).

It would have been obvious to one with ordinary skill in the art at the time of the invention to have stored and accessed a customer's profile stored on a profile database comprising a profile database storage maintained only at a premises of the customer locally a the customer premises in case a profile at server side cannot be accessed (see Lin col. 5, lines 1-6).

Claim 20:

Mozayeny, Roundtree, and Lin disclose the method of claim 19, Mozayeny further discloses providing a set of verbal questions for a schedule request from the voice services node to the customer, wherein the set of verbal questions includes a

question about a business name of interest to the customer ("the passenger has selected the airline", [0151]).

Claim 21:

Mozayeny, Roundtree, and Lin disclose the method of claim 19, Mozayeny further discloses providing a set of verbal questions for a schedule request from the voice services node to the customer, wherein the set of verbal questions includes a question about a date and time of day to schedule ("the passenger has selected the ... flight", [0151]).

Claim 22:

Mozayeny, Roundtree, and Lin disclose the method of claim 19, Mozayeny further discloses providing a set of verbal questions for a schedule request from the voice services node to the customer, wherein the set of verbal questions includes questions about customer preferences ("seat and class preferences", [0151]).

Claims 23, 24:

Mozayeny, Roundtree, and Lin disclose the method of claim 19, Roundtree further discloses: determining preferences of the customer from the request data to produce preference data; and storing the preference data of the customer in a profile database ("The user preferences can be continually updated and refined over time as the system server gathers more information concerning the user", [0023], "The querying can also be based upon user preferences for the requestor as stored in personal data 38" [0048]).

It would have been obvious to one with ordinary skill in the art at the time of the invention to formulate a query using a customer's profile database in Mozayeny's method in order to "use the preferences to make "smart choices" in processing user's requests" (Roundtree [0023], see also [0045] for a specific example).

Claim 25:

Mozayeny, Roundtree, and Lin disclose the method of claim 24, Roundtree further discloses wherein the customer places a voiced call to the voice services node, wherein storing the preference data comprises mapping an identifier of the voiced call from the customer to the location of the customer profile data containing the stored preference data, and wherein accessing the profile database comprises upon subsequent voiced calls having the electronic identifier to the voice services node, accessing the preference data for the customer based on the identifier (Table 1, page 3 and related text).

It would have been obvious to one with ordinary skill in the art at the time of the invention to formulate a query using a customer's profile database in Mozayeny's method and use identifiers for the customers in order to "use the preferences to make "smart choices" in processing user's requests" (Roundtree [0023], see also [0045] for a specific example).

Claim 26:

Mozayeny, Roundtree, and Lin disclose the method of claim 25, Roundtree further discloses wherein the customer provides a verbal customer identification as a verbal answer to the voice services node and wherein the verbal customer identification

is interpreted to produce customer identification data, and wherein mapping the identifier of the voiced call further comprises mapping the customer identification data to the location of the customer profile data containing the stored preference data ([0022], Table 1, page 3 and related text).

It would have been obvious to one with ordinary skill in the art at the time of the invention to formulate a query using a customer's profile database in Mozayeny's method and use identifiers for the customers in order to "use the preferences to make "smart choices" in processing user's requests" (Roundtree [0023], see also [0045] for a specific example).

Claim 27:

Mozayeny, Roundtree, and Lin disclose the method of claim 24, wherein a verbal answer is a business name and wherein the preferences are stored according to business name data interpreted from the verbal answer, the method further comprising upon subsequent voiced calls between the voice services node and the customer, receiving a business name as a verbal answer from the customer, interpreting the verbal answer to produce business name data, and accessing the preferences for the business name data (Table 1, page 3 and related text).

It would have been obvious to one with ordinary skill in the art at the time of the invention to formulate a query using a customer's profile database in Mozayeny's method and use identifiers for the customers in order to "use the preferences to make "smart choices" in processing user's requests" (Roundtree [0023], see also [0045] for a specific example).

Claim 28:

Mozayeny, Roundtree, and Lin disclose the method of claim 19, Mozayeny further discloses: generating confirmation data; converting the confirmation data to a verbal confirmation; and providing the verbal confirmation from the voice services node to the customer ("the first party 100 will be notified (via the Web, e-mail, or telephone or IVR)", [0060]).

Claims 29-37:

System claims 29-37 and method claims 1-9 are related as system and the method of using same, with each claimed element's function corresponding to a claimed method step. Accordingly claims 29-37 are rejected with the same rationale as applied above with respect to method claims 1-9.

Claims 38-41:

System claims 38-41 and method claims 19-21 are related as system and the method of using same, with each claimed element's function corresponding to a claimed method step. Accordingly claims 38-41 are rejected with the same rationale as applied above with respect to method claims 19-21.

Claim 42:

Mozayeny, Roundtree, and Lin disclose the system of claim 38, Roundtree further discloses: determining preferences of the customer from the request data to produce preference data; and storing the preference data of the customer in a profile database ("The user preferences can be continually updated and refined over time as the system server gathers more information concerning the user", [0023], "The querying

can also be based upon user preferences for the requestor as stored in personal data 38" [0048]).

It would have been obvious to one with ordinary skill in the art at the time of the invention to formulate a query using a customer's profile database in Mozayeny's method in order to "use the preferences to make "smart choices" in processing user's requests" (Roundtree [0023], see also [0045] for a specific example).

Claim 43:

Mozayeny, Roundtree, and Lin disclose the system of claim 38, Mozayeny further discloses wherein the confirmation is a verbal confirmation provided from a voice services node ("the first party 100 will be notified (via the Web, e-mail, or telephone or IVR)", [0060]).

Claim 44:

Mozayeny discloses a system of assisting scheduling with automation, comprising:

receiving a verbal scheduling request from a customer at a voice services node ("100 may request to schedule a appointment, or make a reservation", [0060], FIG. 3, and related text. Note that the scheduling request may be communicated via the IVR (Interactive Voice Response) system, [0063]);

formulating a request data to a schedule database, the request data being formulated based on keywords of the verbal scheduling request received from the customer, wherein the schedule database maintains a current schedule for multiple businesses and the request data is formulated to determine which of the multiple

businesses have a current schedule compatible with the scheduling request ("server 200 may search through the MLS", [0109], FIG. 9, and related text);

However, Mozayeny does not explicitly disclose accessing a customer's preferences from a profile database as claimed in the instant claim.

In a similar method of automated reservation using interactive voice recognition, Roundtree discloses formulating a query comprising:

accessing a profile for the customer from a profile database to determine preferences for the customer, the profile database comprising a profile database storage maintained at a customer premises (FIG. 1, item 38 and related text), the preferences being previously obtained (FIG. 1, item 38 and related text) through at least one of the following: previous verbal communication with the customer, data message transaction with the customer, and tracking previous scheduling requests made by the customer ("The user preferences can be continually updated and refined over time as the system server gathers more information concerning the user", [0023]), and

including the preferences in the request data, when information contained in the preferences in omitted in the request data, to determine whether the request is compatible with the current schedule, wherein including the preferences comprises, when information is omitted in the request data, accessing the profile for the customer from the profile database, searching for the preferences containing the information omitted in the request data, and updating the request data to include the preferences containing the information omitted in the request data ("the system server retrieves a protocol that identifies one or more restaurants to contact based upon ... the user's

preferences as stored in personal data 38", [0048] see also [0022], FIG. 1, item 38 and related text) wherein updating the request data to include the preferences containing the information omitted in the request data does not require further customer interaction ("system server executes the querying process according to the protocol to make a reservation with one of the restaurants", [0045]);

It would have been obvious to one with ordinary skill in the art at the time of the invention to formulate a query using a customer's profile database in Mozayeny's method in order to "use the preferences to make "smart choices" in processing user's requests" (Roundtree [0023], see also [0045] for a specific example).

Mozayeny further discloses when the request is compatible with the current schedule, altering the current schedule of the schedule database based on the scheduling request ("automatically scheduling the appointment if the request is for an available time based on the availability information, and automatically updating the appointment availability information", Abstract, FIG. 3, and related text);

and generating a first notification of the result of the request data to provide an indication to the customer of which businesses have a current schedule that is compatible with the schedule request ("query whether the requested appointment or reservation time is acceptable based on the record ", [0060], FIG. 3, and related text).

Mozayeny and Roundtree do not explicitly disclose the profile database comprising a profile database storage maintained at the customer's premises.

Lin discloses accessing a profile for a customer from a profile database (local database of Fig. 1, item 4 and related text) to determine preferences for the customer

("retrieve user preference information for the current user from local user preference file 4", col. 5, lines 1-6), the profile database comprising a profile database storage maintained only at a premises of the customer (Note that the storage storing the local preference database on a local computer is only maintained on the local computer).

It would have been obvious to one with ordinary skill in the art at the time of the invention to have stored and accessed a customer's profile stored on a profile database comprising a profile database storage maintained only at a premises of the customer locally a the customer premises in case a profile at server side cannot be accessed (see Lin col. 5, lines 1-6).

Claim 45:

Mozayeny, Roundtree, and Lin disclose the method of claim 44, Mozayeny further discloses:

receiving a second verbal scheduling request from the customer at the voice services node over the voice call, wherein the second verbal scheduling request specifies a selected business from the multiple businesses provided in the first notification that have a current schedule that is compatible with the schedule request; formulating a query to the schedule database based on the received second verbal scheduling request to alter the current schedule of the selected business according to the scheduling request ("The passenger may then browse through the available airlines and flights and select from a group of those listed", [0151]); and

generating a second notification of the alteration to the current schedule ("the appointment server 200 can send a message to the airline informing them of the reservation", [0151]).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Dutcher et al (USPN 6,044,465) discloses a user profile storage and retrieval method where "user profile is typically stored on either a local Windows NT client or a Windows NT server" (col. 2, lines 14-18).

b. Holtzman et al (US PGPub 2001/0027439) discloses a method where "user profile can be stored in the computer 100, or on information servers 120 accessible over a computer network such as the Internet" ([0048]).

c. Horvitz (USPN 6,067,565) discloses a method where "information regarding background of a user (e.g. age and interests of that user as obtained from a profile stored locally in a client computer or accessed from a remote source, such as the server)" (col. 38, lines 18-30).

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMUEL G. NEWAY whose telephone number is (571)270-1058. The examiner can normally be reached on Monday - Friday 8:30AM - 5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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